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Fresno, California

January 25, 2000

The City Council met in joint session with the Redevelopment Agency at the hour of 8:40 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Garry Bredefeld	Acting Council President
	Chris Mathys	Councilmember
	Henry Perea	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Councilmember
	Ken Steitz	Councilmember
	Tom Boyajian	Council President

Jeff Reid, City Manager
Hilda Cantu Montoy, City Attorney
Rebecca Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

(8:30 A.M.) JOINT MEETING WITH THE CITY COUNCIL

APPROVE AGENCY MINUTES OF JANUARY 4, 2000

On motion of Acting President Bredefeld, seconded by Councilmember Mathys, duly carried, **RESOLVED**, the minutes of January 4, 2000, approved as submitted.

(“A”) APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH RTKL ASSOCIATES, INC., TO DEVELOP AN UPDATED MASTER PLAN OF THE UPTOWN AREA THAT TAKES INTO CONSIDERATION CURRENT ACTIVITIES AND PROPOSED PROJECTS AND CREATES A COORDINATED ACTION PLAN
(AGENCY ACTION)

1. CONSIDER DIRECTION TO THE REDEVELOPMENT DIRECTOR TO INCLUDE IN THE FY 20001 BUDGET, \$100,000 FOR THE UPTOWN AREA TO IMPLEMENT STREETSCAPE IMPROVEMENTS - MEMBER PEREA

Speaking in support of the issue were: John Moffatt, Chair, Uptown Committee; and Jill Moffatt, Executive Director, Historical Society.

Redevelopment Administrator Murphey briefly reviewed the staff report as submitted.

Brief discussion ensued on separating the two issues whereupon it was determined to combine and act on them together. Members Mathys and Perea spoke in support of the issue, and Chair Ronquillo briefly commented on the evolution of the area. Member Perea made a motion to approve the agreement and direct staff as outlined above, which motion was seconded and acted upon after additional brief discussion. Ms. Murphey responded to questions of Member Steitz and Chair Ronquillo relative to funds already expended, need to allocate more than \$100,000, and staff being prepared to budget potential total costs.

On motion of Member Perea, seconded by Member Quintero, duly carried, RESOLVED, the Agency Executive Director or his designee authorized to execute the agreement with RTKL Associates, Inc., to create an updated master plan for the Uptown Area; the Director directed to deposit a signed original of the agreement with the City Clerk; and the Director directed to program \$100,000 in the Agency's upcoming FY 2001 budget cycle for the implementation of the anticipated Uptown streetscape plan for possible land acquisition in the Uptown Area, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	None

(“B”) (COUNCIL AND AGENCY ACTION:) AUTHORIZE STAFF TO ENTER INTO NEGOTIATIONS FOR AGREEMENTS DESIGNED TO ADDRESS AFFORDABLE HOUSING NEEDS USING TAX INCREMENT 20% HOUSING SET-ASIDE FUNDS FOR:

1. A DEVELOPMENT AGREEMENT WITH NEIGHBORHOOD OPPORTUNITIES FOR AFFORDABLE HOUSING, INC. (NOAH) FOR CONSTRUCTION OF SIX HOUSES NEAR N. ELEVENTH STREET AND E. HOME AVENUE;
2. AN AGREEMENT FOR HOUSING REHABILITATION IN THE NEIGHBORHOOD NEAR THE PROPOSED SIX-HOUSE DEVELOPMENT NEAR N. ELEVENTH AND E. HOME AVENUE;
3. A DEVELOPMENT AGREEMENT WITH NOAH FOR CONSTRUCTION OF ONE HOUSE IN THE SOUTHWEST FRESNO GENERAL NEIGHBORHOOD RENEWAL AREA (GNRA) AT THE CORNER OF “C” AND MONO STREETS; AND
4. AN AGREEMENT WITH THE HOUSING AUTHORITY FOR HOUSING REHABILITATION IN A FOCUS AREA AROUND THE KEARNEY PALMS SHOPPING CENTER IN THE SOUTHWEST FRESNO GNRA

HNR Director Quiring and HNR Manager Bowness briefly reviewed the background of the issue and the staff report as submitted.

Barbara Hunt, 944 ‘F’ Street spoke to the issue.

Ms. Bowness responded to questions of Councilmember Perea relative to entering into partnerships with NOAH and the Housing Authority, construction timeline, possibility of expediting the process, and what would be necessary to expedite the process. Councilmember Perea urged staff to do whatever was necessary to expedite the process and made a motion to approve staff's recommendation, which was seconded and acted upon after additional discussion.

Councilmembers commended staff on the proposal and Ms. Bowness responded to additional questions relative to HCDC's recommendations, staff's proposal, utilizing tax increment generated from The Gap for the airport area, importance of improving the inner-city, partnering with NOAH, if the City allocated funding annually to NOAH, who would construct the homes, if a bid process would be utilized, the Center City Committee, and recommendation to staff to look at a successful nine-home project on Dwight Avenue between Cedar and Orange **(2 - 0)**.

On motion of Councilmember Perea, seconded by Councilmember Steitz, duly carried, RESOLVED, staff directed to enter into negotiations for agreements designed to address the affordable housing needs using Tax Increment 20% Housing Set Aside Funds for (1) a development agreement with NOAH for construction of six houses near N. Eleventh Street and E. Home Avenue; (2) an agreement for housing rehabilitation in the neighborhood near the

proposed six-house development on N. Eleventh Street; (3) a development agreement with NOAH for construction of one house in the Southwest Fresno GNRA at “C” and Mono Streets; and (4) an agreement with the Housing Authority for housing rehabilitation in a focus area around the Kearney Palms Shopping Center in the Southwest Fresno GNRA, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	None

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The joint bodies adjourned at 9:27 a.m. and the City Council convened in regular session at 9:28 a.m.

Pastor Alex Maldonado, God’s Family Church, gave the invocation.

Acting President Bredefeld led the Pledge of Allegiance to the Flag.

PROCLAMATION OF “PATRICIA (BEBE) LONG DAY” - PRESIDENT BOYAJIAN

CERTIFICATES OF RECOGNITION TO CLOVIS WEST AREA ELEMENTARY SPELLING BEE PARTICIPANTS - ACTING PRESIDENT BREDEFELD

RECOGNITION AWARDS TO STUDENTS ON THE PRINCIPAL’S LIST AT MALLOCH ELEMENTARY SCHOOL - COUNCILMEMBER MATHYS

(ADD-ON) RESOLUTIONS OF COMMENDATION TO PA YIA XIONG AND LANDY RATTANAPHSASY - COUNCILMEMBER STEITZ AND THE COMMISSION ON THE STATUS OF WOMEN

The above proclamation, certificates, awards and resolutions were read and presented.

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APPROVE CITY COUNCIL MINUTES

On motion of Councilmember Perea, seconded by Councilmember Quintero, duly carried, RESOLVED, the Council minutes of January 11 and 18, 2000, were approved as submitted.

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APPROVE AGENDA:

(5A) COUNCIL AUTHORIZATION FOR THE RELEASE AND PAYMENT OF AMOUNTS DUE AND OWING THE GENERAL CONTRACTOR FOR CONSTRUCTION OF THE EXHIBIT HALL EXPANSION PROJECT - COUNCILMEMBER PEREA

Removed from the agenda at the direction of Councilmember Perea.

DIRECT STAFF TO REPORT BACK IN ONE WEEK ON THE STATUS OF THE SURFACE WATER TREATMENT PLANT - COUNCILMEMBER PEREA

Direction made.

On motion of Councilmember Perea, seconded by Acting President Bredefeld, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

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ADOPT CONSENT CALENDAR:

(1A-1) APPROVE AMENDMENT NO. 1 TO A TEMPORARY USE PERMIT ISSUED BY THE CITY TO SKYWEST AIRLINES, INC. AT FYI; AND AUTHORIZE THE DIRECTOR OF TRANSPORTATION TO EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE SAID EXTENSION OF TERM ON BEHALF OF THE CITY

(1A-2) APPROVE CHANGES DUE TO ELECTION OF A NEW COUNCIL PRESIDENT

a. *RESOLUTION NO. 2000-17 - 65TH AMENDMENT TO AAR 99-181 TRANSFERRING \$9,400 IN ADDITIONAL SALARY FOR THE COUNCIL PRESIDENT AND \$20,600 FOR THE EXECUTIVE ASSISTANT TO THE COUNCIL FROM THE COUNCIL SUPPORT BUDGET TO DISTRICT 1's BUDGET

b. *RESOLUTION NO. 2000-18 - 7TH AMENDMENT TO PAR 99-182 MOVING THE POSITION OF EXECUTIVE ASSISTANT TO THE COUNCIL FROM DISTRICT 4 TO DISTRICT 1's BUDGET

(1A-3) APPROVING A TRANSIENT ROOM TAX COMPLIANCE PROGRAM AND A CONTRACT WITH MBIA MUNISERVICES COMPANY TO PROVIDE COMPLIANCE SERVICES IN CONNECTION WITH THE TRANSIENT ROOM TAX ORDINANCE

(1A-5) APPROVE AN AGREEMENT WITH ORACLE CORPORATION FOR ORACLE DATABASE SOFTWARE SITE LICENSE FOR UNLIMITED USERS, ANNUAL TECHNICAL SUPPORT, AND RELATED COMPONENTS AND SERVICES; APPROVE A FIVE YEAR LEASE TO PURCHASE ORACLE DATABASE SOFTWARE SITE LICENSE FOR UNLIMITED USERS INCLUDING MAINTENANCE AND TECHNICAL SUPPORT FOR THE FIRST YEAR AND RELATED COMPONENTS AND SERVICES; AND AUTHORIZE THE DIRECTOR OF INFORMATION SERVICES TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

(1A-7) RESOLUTION NO. 2000-19 - ORDERING THE SUMMARY VACATION OF THE REMAINING RELINQUISHMENT OF ACCESS RIGHTS ALONG THE WEST SIDE OF BLACKSTONE AVENUE BETWEEN ALLUVIAL AND NEES AVENUES, PENDING APPROVAL OF THE RESOLUTION BY THE CITY ATTORNEY'S OFFICE

(1A-8) APPROVE AN AMENDMENT TO THE JOINT MAINTENANCE OF DRAINAGE BASIN PARKS AGREEMENT WITH THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT TO EXTEND THE TIME OF OPERATION FOR BASIN "AH-1", A DESIGNATED DOG PARK

(3 - 0) On motion of Councilmember Steitz, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

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Visiting students from Fresno Christian School were recognized and welcomed.

(10:00 A.M.) HEARING ON COMMUNITY FACILITIES DISTRICT (CFD)NO. 2, ANNEXATION NO. 16 (TRACT NO. 4824)

1. RESOLUTION NO. 2000-20 - ANNEXING TERRITORY TO CFD NO. 2 AND AUTHORIZING THE LEVY OF A SPECIAL TAX

2. RESOLUTION NO. 2000-21 - CALLING A SPECIAL MAILED-BALLOT ELECTION

3. RESOLUTION NO. 2000-22 - DECLARING ELECTION RESULTS

4. * BILL NO. B-7 - ORDINANCE NO. 2000-9 - LEVYING A SPECIAL TAX FOR THE 2000-2001 PROPERTY TAX YEAR AND FUTURE TAX YEARS WITHIN AND RELATING TO CFD NO. 2, ANNEXATION NO. 16, CITY OF FRESNO, CALIFORNIA

President Boyajian announced the time had arrived to consider the issue and opened the hearing. Upon call, no one wished to be heard and President Boyajian closed the hearing.

On motion of Acting President Bredefeld, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled Resolution Nos. 2000-20, 2000-21 and 2000-22 hereby adopted, and the above entitled Bill No. B-7 adopted as Ordinance No. 2000-9, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	Mathys
Absent	:	None

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(10:10 A.M.) APPEARANCE BY THE AMERICAN CANCER SOCIETY TO PROMOTE CANCER SYMPTOM CARDS

Appearance made.

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(10:15 A.M.) APPEARANCE BY ROGER LENZ REGARDING THE CONDITIONAL USE PERMIT FOR THE WILBURFORCE LAND DEVELOPMENT PROJECT AT CHURCH AND ELM STREETS

Mr. Lenz gave an overview of the issue including the background and present status, and requested development fees in the amount of \$17,000 be waived or deferred until after construction began and explained. Councilmember Steitz noted Council was prohibited from taking any kind of action this date since this was a scheduled appearance, and recommended the matter be rescheduled for a full staff report and action if needed. Councilmember Ronquillo

briefly commented on the issue and clarified comments made by Mr. Lenz relative to the fees; noted Council was in support of the project; and stated he was willing to support Mr. Lenz' request to get Wilburforce University here.

** Proceedings were briefly interrupted to welcome another visiting class from Fresno Christian School.

Brief discussion ensued with Carl Wallace, Wilburforce Committee Chairman, responding to questions of Councilmember Mathys relative to Wilburforce University, length of time of negotiations with the City, proposed location of the university, and what the "stumbling block" was. City Manager Reid recommended Mr. Wallace obtain a signed document from the university president (1) confirming Mr. Wallace as the official representative of the project, and (2) requesting a fee waiver or deferral, and include that document language on the agenda, with Mr. Wallace consenting. By Council consensus, the matter was set for February 1st at 11:10 a.m. for a full hearing/staff report to consider the request for waiver or deferral of fees and action.

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(10:20 A.M.) APPEARANCE BY DAVID WELLS TO DISCUSS A JOINT VENTURE OF THE CITY AND ELECTRIC VEHICLES OF AMERICA (EVA) TO SEEK GRANT FUNDS TO PURCHASE 2 HYBRID ELECTRIC TRANSIT BUSES

Not present when called. Councilmembers Perea, Steitz and Ronquillo briefly left the meeting at 10:55 a.m.

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(10:25 A.M.) APPEARANCE BY BARBARA HUNT TO DISCUSS THE TENANT SELECT PROGRAM AND LOW INCOME HOUSING

Appearance made. Jacqueline Williams, 4969 E. Burns, Director of Housing for Consumer Credit Counseling Services, commented briefly on their program and need for funding and advised she would schedule an appearance in the future to give a full presentation on their program and needs.

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(11:00 A.M.) HEARING ON COMMUNITY FACILITIES DISTRICT (CFD) NO. 3 - PALM BLUFFS CORPORATE CENTER PUBLIC IMPROVEMENT PROJECT

1. RESOLUTION NO. 2000-23 - CALLING A SPECIAL ELECTION TO CONSIDER DETACHMENT OF TERRITORIES FROM, ANNEXATION OF TERRITORIES TO AND CHANGES TO FACILITIES PROVIDED BY CFD NO. 3

2. RESOLUTION NO. 2000-24 - CANVASSING THE RESULTS OF THE JANUARY 25, 2000, ELECTION HELD WITHIN CFD NO. 3 AND WITHIN TERRITORIES PROPOSED TO BE ANNEXED THERETO

3. RESOLUTION NO. 2000-25 - DETERMINING AND ORDERING CHANGES IN PUBLIC FACILITIES FINANCED BY THE DISTRICT

4. *BILL NO. B-8 - ORDINANCE NO. 2000-10 - AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN TERRITORIES ANNEXED TO CFD NO. 3

President Boyajian announced the time had arrived to consider the issue and opened the hearing. Upon call, no one wished to be heard and President Boyajian closed the hearing.

On motion of Acting President Bredefeld, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled Resolution Nos. 2000-23, 2000-24 and 2000-25 hereby adopted, and the above entitled Bill No. B-8 adopted as Ordinance No. 2000-10, by the following vote:

Ayes	:	Bredefeld, Mathys, Quintero, Boyajian
Noes	:	None
Absent	:	Perea, Ronquillo, Steitz

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(3A) AMENDING THE FRESNO MUNICIPAL CODE RELATING TO THE MEMBERSHIP OF AIRPORT PUBLIC SAFETY OFFICERS, SUPERVISOR AND MANAGER

1. BILL NO. B-1 - ORDINANCE NO. 2000-11 - AMENDING SUBSECTION (p) OF SECTION 2-1701 OF THE FRESNO MUNICIPAL CODE RELATING TO MEMBERSHIP OF THE JOB CLASS OF AIRPORT PUBLIC SAFETY MANAGER IN THE FIRE AND POLICE RETIREMENT SYSTEM

On motion of Councilmember Quintero, seconded by Acting President Bredefeld, duly carried, RESOLVED, the above entitled Bill No. B-1 adopted as Ordinance No. 2000-11, by the following vote:

Ayes	:	Bredefeld, Mathys, Quintero, Boyajian
Noes	:	None
Absent	:	Perea, Ronquillo, Steitz

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Councilmembers Steitz and Perea returned to the meeting at 11:03 a.m.

(3B) *BILL NO. B-2 - ORDINANCE NO. 2000-12 - AMENDING SUBSECTION (a) AND ADDING SUBSECTION (f) OF SECTION 3-202 OF THE FRESNO MUNICIPAL CODE RELATING TO THE DISPOSITION OF RETIRED POLICE CANINES

On motion of Councilmember Quintero, seconded by Acting President Bredefeld, duly carried, RESOLVED, the above entitled Bill No. B-2 adopted as Ordinance No. 2000-12, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Steitz, Boyajian
Noes	:	None
Absent	:	Ronquillo

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(3C) *BILL NO. B-6 - ORDINANCE NO. 2000-13 - AMENDING FRESNO MUNICIPAL CODE SECTION 2-1203 RELATING TO FISCAL ADMINISTRATION, REVISING PROCEDURE FOR PRESENTATION AND PROCESSING OF CLAIMS FOR MONEY OR DAMAGES (INCLUDING CLAIMS RELATING TO CONTRACTS), PENDING LITIGATION, AND WORKERS' COMPENSATION CLAIMS, FORMALIZING ADMINISTRATIVE PRACTICE AND MAKING HOUSEKEEPING AMENDMENTS

On motion of Councilmember Quintero, seconded by Acting President Bredefeld, duly carried, RESOLVED, the above entitled Bill No. B-6 adopted as Ordinance No. 2000-13, by the following vote:

Ayes : Bredefeld, Mathys, Perea, Quintero, Steitz, Boyajian
 Noes : None
 Absent : Ronquillo

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(3D) APPROVE INCREASING THE MAXIMUM LOAN AMOUNT FOR PROJECTS IN THE OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM

(4 - 0) On motion of Councilmember Quintero, seconded by Councilmember Steitz, duly carried, RESOLVED, the maximum loan amount for projects in the Owner-Occupied Housing Rehabilitation Program increased to \$35,000, by the following vote:

Ayes : Bredefeld, Perea, Quintero, Steitz, Boyajian
 Noes : Mathys
 Absent : Ronquillo

Upon request of Councilmember Perea, HNR Manager Bowness explained HCDC's question on why the funds were being used city-wide. Acting President Bredefeld briefly left the meeting at 11:05 a.m.

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(5B) REQUEST THE CITY MANAGER OR DESIGNEE TO PROVIDE OWNER OF PROPERTY AT 6493 N. GOLDEN STATE WITH A PLAN LINE LOCATION AS REQUIRED FOR HERNDON AVENUE IMPROVEMENTS - COUNCILMEMBER MATHYS

Councilmember Mathys directed the matter be laid over one week and briefly responded to questions of Councilmember Perea relative to funding source for the anticipated \$40-\$50,000 necessary. By Council consensus, the matter laid over to February 1, 2000, at 11:30 a.m.

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(5C) * RESOLUTION NO. 2000-26 - 68TH AMENDMENT TO AAR 99-181 APPROPRIATING \$1,000 OF DISTRICT 6 AND \$2,600 OF DISTRICT 7's GENERAL FUND INFRASTRUCTURE BUDGET TO PAY FOR CONVENTION CENTER FEES FOR A FRESNO ARTS MUSEUM EVENT - COUNCILMEMBER PEREA

On motion of Councilmember Perea, seconded by Councilmember Mathys, duly carried, RESOLVED, the above entitled Resolution No. 2000-26 hereby adopted, by the following vote:

Ayes : Mathys, Perea, Quintero, Steitz, Boyajian
 Noes : None
 Absent : Bredefeld, Ronquillo

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(5D) *RESOLUTION NO. 2000-27 - 67TH AMENDMENT TO AAR 99-181 APPROPRIATING \$7,300 OF DISTRICT 5s GENERAL FUND INFRASTRUCTURE BUDGET TO FUND IMPROVEMENTS AT THE MOSQUEDA CENTER - COUNCILMEMBER QUINTERO

Upon question of Councilmember Steitz, Councilmember Quintero noted types of improvements to be made.

On motion of Councilmember Quintero, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Resolution No. 2000-27 hereby adopted, by the following vote:

Ayes	:	Mathys, Perea, Quintero, Steitz, Boyajian
Noes	:	None
Absent	:	Bredefeld, Ronquillo

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(5E) APPROVE AMENDED SCHEDULE OF COUNCIL MEETINGS FOR 2000 BY CANCELING MEETINGS SET FOR APRIL 18TH AND OCTOBER 10TH, 2000 - PRESIDENT BOYAJIAN

Councilmember Ronquillo returned to the meeting at 11:06 a.m. President Boyajian briefly reviewed his request to delete the meetings. Councilmember Steitz requested the meetings scheduled on the March 7th and November 7th election days also be deleted.

On motion of Councilmember Steitz, seconded by Councilmember Mathys, duly carried, RESOLVED, the Council meeting schedule for 2000 hereby amended *deleting* the March 7th, April 18th, October 10th and November 7th meetings, by the following vote:

Ayes	:	Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	Bredefeld

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(5F) RESOLUTION - SUPPORTING THE 2000 DRAFT MEASURE "C" EXPENDITURE PLAN WITH MODIFICATIONS - COUNCILMEMBER STEITZ

Councilmember Steitz reviewed the issue and the four modifications listed in the resolution, and requested Council go on record supporting the modifications stating the integrity of the plan would be kept in place and at the same time would allow for flexibility to solve some real urban problems and explained. Acting President Bredefeld returned to the meeting at 11:10 a.m.

Lengthy discussion ensued with Councilmember Ronquillo debating Councilmember Steitz' proposal and citing the importance of 180 east and west and stating Council should stay the course with the current plan; Acting President Bredefeld speaking in support of the proposal stressing there was tremendous congestion and major impacts on Friant due to continued development in the area; City Manager Reid expanding on the 180 east project and stating the proposal was a good mix; Councilmember Perea speaking against the proposal stating a reallocation of dollars would not accomplish the proposed goal and would also take six years to address and explained, with Councilmember Steitz responding and stressing there were strategies to use Measure "C" funds more quickly; and Councilmember Quintero reviewing the background of the Peach Avenue project and also concurring Council should stay the course with the current plan.

A motion and second to adopt the resolution was acted upon after additional discussion. Acting President Bredefeld commended Councilmember Steitz on the proposal and stated dollars could be shifted as Valley Children's showed it could be done. Councilmember Ronquillo stressed this was an issue of priorities and 180 east and west

were vital to the community and necessary for economic stability. Mr. Reid clarified neither the Transportation Authority nor COG had voted on the plan yet stressing it was a draft plan in the planning process; commented on the Peach Avenue project; and emphasized this would be the only feasible means of getting necessary dollars for the next five years.

Barbara Hunt, 944 “F” Street, spoke to the issue.

Councilmember Perea stated to take dollars away from southeast and southwest Fresno was not a good plan and urged the current plan be left alone.

A motion of President Steitz, seconded by Acting President Bredefeld, to adopt the above Resolution supporting the 2000 Draft Measure “C” Expenditure Plan with modifications failed, by the following vote:

Ayes	:	Bredefeld, Mathys, Steitz
Noes	:	Perea, Quintero, Ronquillo, Boyajian
Absent	:	None

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(5G) RESOLUTION NO. 2000-28 - SUPPORTING PROPOSITIONS 12 AND 13 RELATING TO CALIFORNIANS FOR SAFE NEIGHBORHOOD, PARKS AND CLEAN WATER - COUNCILMEMBER PEREA

Reviewed by Councilmember Perea. Councilmembers Steitz and Ronquillo briefly left the meeting at 11:42 a.m.

On motion of Councilmember Perea, seconded by Acting President Bredefeld, duly carried, RESOLVED, the above entitled Resolution No. 2000-28 hereby adopted, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Boyajian
Noes	:	None
Absent	:	Ronquillo, Steitz

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(11:30 A.M.) AWARD A CONTRACT FOR A RED LIGHT TRAFFIC ENFORCEMENT PILOT PROGRAM, CONTINGENT UPON IDENTIFICATION OF A FUNDING SOURCE

Councilmember Steitz returned at 11:43 a.m. Purchasing Manager Taggart reviewed the Evaluation Committee’ report as submitted and their recommendation to award a contract to Nestor Traffic Systems subject to funding becoming available. District 6 staff and RFP team member Kloose spoke to the cost issue, how other cities fund their programs, **(5 - 0)** importance of County participation and proposal to present to the County, potential citation revenue/resources that could become available to the City, and stated the funding source identified for the program would be revenues generated and requested Council’s support.

Speaking to the issue were: Nick Esquivel, support for the program; and David Fox, President, Nestor Traffic Systems, who explained their system. Councilmember Ronquillo returned to the meeting at 11:56 a.m. Continuing were: Barbara Hunt, 944 “F” Street, opposed to the program; and Mark Scozzari, Lockheed Martin, who explained their system and technology and requested Council delay taking action and permit companies to make their presentations before Council.

An unidentified Police Officer responded to questions of Councilmember Mathys relative to the current operating “rat boxes”, success of those boxes, citation and accident statistics since the boxes were installed, and cost for the rat boxes. Councilmember Mathys spoke in opposition to traffic cameras stating he felt an officer needed to be present during violations and urged Council to be cautious about awarding contracts without funding and without even knowing if the County would participate.

City Manager Reid commended the committee for their efforts but stated it would be unwise to award a contract without funding, commented on the County participation issue, and stated further discussions and dialog were needed in a lot of areas before awarding the contract and explained. Acting President Bredefeld stressed more dialog was not needed; stated awarding a contract would place the burden on the County and would not cost the City one cent; and presented questions relative to cameras freeing up police officers and augmenting the police force, if his bringing the red light issue to light and public awareness campaigns were reasons for the increase in citations issued, and violators paying for the program, with the police officer and Mr. Esquivel responding. Acting President Bredefeld emphasized the red light traffic program had the support of the police department, traffic professionals, and citizens; stressed this was an issue of safety and not privacy requesting Council not play games, and made a motion to approve staff’s recommendation and work with the County and company selected, which motion was seconded by President Boyajian.

Councilmember Steitz commended Acting President Bredefeld for bringing the issue forward but stated he felt Council was dealing with an issue they had no jurisdiction over; recommended the County’s commitment be obtained before awarding a contract; and made a motion to table the issue until after the County dealt with it, which motion was later seconded and acted upon.

City Attorney Montoy responded to a question of President Steitz relative to jurisdiction, stated there were a number of unresolved issues to date and explained, and upon question advised from a legal standpoint it would be permissible to move forward adding whether it was wise to do so was up to Council.

Brief discussion ensued (**6 - 0**) with Councilmember Ronquillo stating he was not against cameras but he felt funding was needed first, and Ms. Kloose and Ms. Montoy responded to questions of Councilmember Perea relative to plans to talk with the County and affect this could have on forfeiture fines and the City making this kind of statement.

On motion of Councilmember Steitz, seconded by Councilmember Mathys, duly carried, **RESOLVED**, the award of a contract for a Red Light Traffic Enforcement pilot program postponed until after Fresno County deals with the issue, by the following vote:

Ayes	:	Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	Bredefeld, Boyajian
Absent	:	None

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LUNCH RECESS - 12:40 P.M. - 2:30 P.M. Councilmembers Mathys and Ronquillo arrived later.

(2:00 P.M.) CONTESTED CONSENT CALENDAR ITEMS:

(1A-4) RESOLUTION NO. 2000-29 - DECLARING 88 OLD SMITH-WESSON HANDGUNS AS SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING THE CHIEF OF POLICE TO DESTROY THE HANDGUNS

Councilmember Perea advised his questions had been answered by staff and moved the item.

On motion of Councilmember Perea, seconded by Councilmember Steitz, duly carried, RESOLVED, the above entitled Resolution No. 2000-29 hereby adopted, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Steitz, Boyajian
Noes	:	None
Absent	:	Mathys, Ronquillo

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(1A-6) APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH PARSONS BRINCKERHOFF, INC., FOR A CONSTRUCTION DOCUMENTS REVIEW AND PRELIMINARY CONSTRUCTION MANAGEMENT SERVICES FOR THE FRESNO YOSEMITE INTERNATIONAL AIRPORT TERMINAL AND CONCOURSE EXPANSION PROJECT UNDER FAA AIR GRANT NO. 22, 24, 25, 28, 29 31, & 32

City Attorney Montoy advised her office had concerns with the agreement and explained, and recommended the agreement be approved this date *contingent upon* approval as to form by the City Attorney regarding those issues. City Manager Reid advised it was critical to move the item forward this date and he had no problem with the City Attorney's recommendation. Councilmember Mathys arrived at 2:32 p.m.

On motion of Councilmember Steitz, seconded by Councilmember Perea, duly carried, RESOLVED, a Professional Services Agreement with Parsons Brinckerhoff, Inc., for the Fresno Yosemite International Airport Terminal and Concourse Expansion project, construction documents review, and preliminary construction management services hereby approved, subject to FAA approval *and contingent upon* the approval as to form by the City Attorney regarding identity of services to be performed, performance time, and approval by the City Attorney that no competitive bidding requirements will be violated; and the Public Works Director authorized to sign the agreement on behalf of the City, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Steitz, Boyajian
Noes	:	None
Absent	:	Ronquillo

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(1A-9) APPROVE EXTENSION OF THE AGREEMENT WITH MADERA COUNTY TO PROVIDE FIRE PROTECTION TO VALLEY CHILDREN'S HOSPITAL

Councilmember Perea noted he had the same concerns and objections expressed before emphasizing it was the responsibility of Madera and the County to provide fire protection service to Valley Children's; advised of and submitted for the record, a letter from a property owner whose fire rates were increased due to Fresno's fire service rating; stressed the City needed to upgrade its own Fire Department, and stated he would not support the extension request.

Councilmember Steitz noted mutual aid agreements were not uncommon and were entered into with other agencies, and made a motion to approve staff's recommendation, which motion was seconded and acted upon brief discussion. Acting President Bredefeld stated he also had concerns when Valley Children's moved to Madera but

together” and provide the service. City Manager Reid briefly responded to questions of Councilmember Ronquillo relative to response fees, with Councilmember Ronquillo concurring with Acting President Bredefeld’s comments.

On motion of Councilmember Steitz, seconded by Acting President Bredefeld, duly carried, RESOLVED, a two-year extension of the Agreement with Madera County hereby approved; and the Fire Chief authorized to sign the agreement on behalf of the City, by the following vote:

Ayes	:	Bredefeld, Mathys, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Perea, Boyajian

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UNSCHEDULED ORAL COMMUNICATIONS:

STATUS/UPDATE REPORT ON THE WORKFORCE INVESTMENT ACT AND DESIGNATION FOR ADMINISTERING \$43 MILLION IN TRAINING FUNDS - WORKFORCE DEVELOPMENT BOARD DESIGNEE/COUNCILMEMBER PEREA

Brief oral update report given.

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(5H) REQUEST CITY MANAGER TO DIRECT STAFF TO IDENTIFY APPROPRIATE ZONING AND LOCATIONS FOR GREEN WASTE RECYCLING ACTIVITIES - COUNCILMEMBER RONQUILLO

Councilmember Ronquillo clarified this had nothing to do with Green’s Recycling, reviewed the issue stating this was a new industry that had not been dealt with; noted the industry would be growing therefore a policy on the best locations needed to be established; and requested staff research certain issues and explained. City Manager Reid advised Councilmember Ronquillo’s request was going beyond the bounds of the agenda title and advised there would be significant legal issues to deal with. City Attorney Montoy recommended Councilmember Ronquillo meet with her and the City Manager on the issue and determine an appropriate item to bring back, with Councilmember Ronquillo consenting and stating he would schedule the issue in two weeks. There was no further discussion.

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(2:00 P.M.) CITY COUNCIL CLOSED SESSION:

(A.) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - GOVERNMENT CODE SECTION 54957 - TITLE: CITY ATTORNEY

Laid over one week.

(B.) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a): - CASE NAMES:

1. CASE NAME UNSPECIFIED - DISCLOSURE WOULD JEOPARDIZE EXISTING SETTLEMENT NEGOTIATIONS

2. YOLANDA MORALES V. CITY OF FRESNO
3. COMMUNITY REDEVELOPMENT AGENCY V. CHUNG, CASE NO. BC192572 (LOS ANGELES SUPERIOR COURT) (AMICUS BRIEF)
4. JAMES CONRAD V. CITY OF FRESNO
5. CHARLES TURNEY V. CITY OF FRESNO
6. MORALES, MCAVOY, ZAMORA AND "JOHN DOE" V. CITY OF FRESNO, FRESNO POLICE DEPARTMENT, POLICE CHIEF WINCHESTER, AND OFFICERS WILLIAMS, BRIDGES, OSUNA, FRANKS, FERN, AND GRAY

(C.) CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (c): - CONSIDER INITIATING LITIGATION: CITY OF FRESNO V. P.R. FARMS, ET AL. (TITLE CLAIMS - PINEDALE/SUGAR PINE TRAIL) - COUNCILMEMBER PEREA

(D.) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (b): - CITY OF FRESNO V. DAN GREEN'S RECYCLING

(E.) CONFERENCE WITH LEGAL COUNSEL - FRIEND-OF-THE-COURT PARTICIPATION - COMMUNITY REDEVELOPMENT AGENCY V. CHUNG, CASE NO. BC192572 (LOS ANGELES SUPERIOR COURT) (AMICUS BRIEF)

JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY:

(F.) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - GOVERNMENT CODE SECTION 54956.8 - COUNCILMEMBER RONQUILLO:

1. PROPERTY: BOUND BY TULARE, BROADWAY/"H" AND INYO STREETS AND THE FULTON/ BROADWAY ALLEY (PROPOSED DOWNTOWN MULTIPURPOSE BASEBALL STADIUM SITE) - NEGOTIATING PARTIES: CITY OF FRESNO, REDEVELOPMENT AGENCY, FRESNO DIAMOND GROUP/ FRESNO GRIZZLIES LLP - UNDER NEGOTIATION: INSTRUCTIONS TO NEGOTIATORS CONCERNING PRICE, TERMS OF PAYMENT, AND OTHER LEASE TERMS AND CONDITIONS WITH THE FRESNO GRIZZLIES LLP
2. REPORT FROM COUNCIL BASEBALL COMMITTEE REGARDING RECENT MEETINGS - COUNCILMEMBER RONQUILLO

The Council met in regular and joint closed session in Room 2125 at the hour of 2:50 p.m. and reconvened in regular open session at 3:44 p.m. Councilmember Steitz arrived later.

CLOSED SESSION ANNOUNCEMENT

City Attorney Montoy announced in the matter of "B-3", Community Redevelopment Agency v. Chung, the Council voted 7-0 to join in the amicus effort.

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(2:30 P.M.) WORKSHOP AND BILL FOR INTRODUCTION RELATING TO CLEAN AIR AND SMOG PREVENTION

1. WORKSHOP ON AIR QUALITY ISSUES, CITY FLEET AND CLEAN FUEL INFRASTRUCTURE PLANNING AS SET FORTH IN THE SAN FRANCISCO HEALTHY AIR AND SMOG PREVENTION ORDINANCE - COUNCILMEMBER PEREA

2. *BILL NO. B-9 - ADDING A NEW ARTICLE 19 TO CHAPTER 9 OF THE FRESNO MUNICIPAL CODE ESTABLISHING A FRESNO CLEAN AIR ADVISORY COMMITTEE. THE COMMITTEE WILL BE RESPONSIBLE FOR DEVELOPING AND RECOMMENDING STRATEGIES THAT WILL BE USED TO IMPROVE AIR QUALITY IN THE CITY OF FRESNO AND THE SAN JOAQUIN VALLEY

Councilmember Perea briefly reviewed the issue, air problems and their affects, and the need for the ordinance, and made a motion to introduce the ordinance.

Speaking in support of the ordinance and/or offering minor suggestions/changes were: Dave Crow, Executive Officer, Air Pollution Control District, 1900 Gettysburg; Tim McRae, Planning and Conservation, Sacramento, CA; Charles Sant'Agata, American Lung Association, 4948 N. Arthur; and David Wells, P.O. Box 1523.

On motion of Councilmember Perea, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled Bill No. B-9 introduced before the Council and laid over, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Boyajian
Noes	:	None
Absent	:	Steitz

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(3:00 P.M.) WORKSHOP ON PROJECT LABOR AGREEMENTS - COUNCILMEMBER PEREA

Briefly reviewed by Councilmember Perea who stated he scheduled the matter to have a complete airing out of the issue from all sides; advised Council would ultimately decide in the future what it wanted to do after hearing the position of labor, opinions from the City's legal staff and staff's position on impact to the City; and clarified this was only an informational workshop and no action would be taken this date. Councilmember Quintero advised he had a prior commitment and would be leaving at 5:30 p.m. and advised anyone who wanted to send him information.

Speaking to the issue were: David Williams, 2158 W. San Ramon; Curt Thornton, 6046 N. Briarwood, Vice President, Lyles Diversified; Tom Estes, 34 E. Garland, President, Building Trades Council **(7 - 0)**; Ray Ronell, Business Representative, Operating Engineers, Building Trades Council; Bob Jennings, 978 E. Lexington, Business Manager, Plumbers and Steamfitters; Stebbins Dean, CEO, Chamber of Commerce, 1649 N. Van Ness; Pete Chavira, 4364 W. Bennett; Randy DeSantiago, 4695 E. Thomas; Christopher Grant, 286 N. Recreation, Local Apprentice Union; Kayla Franklin, 204 W. Dakota, Apprentice, Carpenters Union; Rev. Nuell Brown; Joel Ramirez, 6055 N. Brawley, working with carpenters union to stop exploitation of Hispanic workers; Vaughn Kezirian, 2914 Argyle; Alan Underwood, 661 N. Stanford, Clovis; Travis Kirk, 345 N. Clovis, craft worker, Mauldin-Dorfmeier; and David Jones, 1951 N. Gateway, Regional Manager, Associated General Contractors.

Continuing were: Carolyn Mooradian, 1239 E. Ellery; Douglas Scheidt, 3874 W. Fir; Mark Howard, 3468 E. Lyle, WECA Apprentice; Wayne Torres, 3490 E. Clinton, ABC Apprentice; Robert Huffman, 5070 E. Ashlan, journeyman electrician; Monty Clifton, 3950 E. Copper **(8 - 0)**; Angel Noriega Bermudez, 9-years old, 2321 N. Augusta; Jack Davis, Attorney for Fresno Plumbers and Pipefitters Union, 5950 Market St., S.F., CA; Scott Holley, 2195 S. Thompson, Sanger, who submitted written material; Marin Vallejo, 2584 N. Valentine, retired construction worker; Frank Flores, 4585 E. Floradora; and Doug Whipple, Field Representative, Carpenters Union, 1335 N. Holbrook.

Continuing were: Randy Ghan, Executive Secretary-Treasurer of the Fresno-Madera-Tulare-Kings County Central Labor Council; Don Hunsucker, 6807 N. Sierra Vista, President/CEO United Food and Commercial Workers Union; Joe Garcia, 5028 W. Fir, Owner, J. I. Garcia Construction, Inc.; John Abele, 2125 E. Province, Branch Manager for Rex Moore Electrical Contractors and Engineers; Debbie Hunsucker, construction industry business owner, 2379 S. 'G' Street, on behalf of Larry Willey, Chamber of Commerce, and the AGC; Buddy Jones, 512 Court St., Visalia; Eric Christian, 2320 Courage, Ste. 110, Fairfield, CA; Don Bishop, 5815 W. Tenaya; Blain Jeschian, 1478 N. College; Cliff Wheelock, 5869 E. Brown, Ste. 102; President, Wheelock Mainstream (**9 - 0**); Wynn Thomason, bricklayer, 9530 N. Barton; Jesse Mejorado, 420 W. Shields; Dave Jensen, 1727 W. Lavidia; Bob Jones, 35634 Marciel, Madera; Dave Hamblin, 2nd year apprentice, ACTA, 361 Minnewawa; Ernie Zuniga, 3945 N. Peach, 1st year apprentice, ACTA; Frank Siqueiros, 3262 E. Simpson; Brent Walton, 333 S. Teilman, Local Director of ACTA; Larry Stauch, Granite Construction, 2706 E. Browning; Bruno Dietl, 1010 W. Whitesbridge, representing Valley Engineers; Tom Estes, Building Trades; John Douty, 2319 E. Saginaw Way; and Luciano Olivar, Business Representative with Sheet-metal Workers Union.

Upon call, no one else wished to be heard and President Boyajian closed the public testimony portion of the issue.

Councilmember Steitz stated he would be placing a resolution on the agenda in one week opposing project labor agreements (PLA's); stated this was a very straight forward issue, a matter of choice, and PLA's were unfair to taxpayers, and concluded stating government should not be negotiating agreements. Councilmember Perea thanked everyone for coming and requested Councilmember Steitz schedule the issue in two weeks instead of one to further review information and allow staff to report back on issues raised.

City Attorney Montoy and an unidentified audience member responded to questions of Acting President Bredefeld relative cities statewide, if any, that had PLA's as a policy, and comments made relative to PLA's used with large projects such as the Hoover Dam. Acting President Bredefeld stated he strongly believed in competition and free enterprise; stressed competitive bidding should not be restricted at all; and stated after listening to testimony he would not be supporting mandated PLA's as they were not in the best interest of taxpayers. Ms. Montoy responded to a question of Councilmember Mathys relative to enforcement of the Davis Bacon Act, and Councilmember Mathys stated he felt excellent high quality work was performed by both union and non-union workers, and advised although he did not support PLA's he would make sure and continue to ensure the City's administration supported the Davis Bacon Act and prevailing wages. There was no further discussion.

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ADJOURNMENT

There being no further business to bring before the Council, the hour of 6:33 p.m. having arrived and hearing no objections, President Boyajian declared the meeting adjourned.

DATED this _____ day of _____ 2000.

Tom Boyajian, Council President

ATTEST: Yolanda Salazar, Assistant City Clerk

